

**MINUTES  
TOWN OF FORT MILL  
TOWN COUNCIL MEETING  
October 27, 2014  
7:00 AM**

Present: Councilmen Spratt, Huntley, Adams, Helms, Shirey, Mayor Funderburk, Attorney Mack, Manager Pieper

Absent: Councilwoman Savage

Guests: Town Engineer, Paul Mitchell, Planning Director, Joe Cronin, Assistant Planner, Chris Pettit, Fire Chief, Jeff Hooper, Municipal Clerk, Dana Powell

Mayor Funderburk called the meeting to order at 7:00 am and led the Pledge of Allegiance. Councilman Adams gave the invocation and the Mayor welcomed everyone to the meeting. Councilman Spratt made a motion to approve the October 13, 2014 minutes with a second by Councilman Helms. The motion was approved with a 6-0 vote.

**PUBLIC COMMENT**

Mayor Funderburk opened the meeting for public comments. Mayor Funderburk recognized Thom Nalley, resident of Fort Mill. Mr. Nalley extended his condolences to Councilwoman Savage. Mr. Nalley voiced his concerns regarding the Kimbrell Rd. property and additional traffic on Kimbrell Rd. which will be a result of the development. Mayor Funderburk thanked Mr. Nalley for his time. Mayor Funderburk closed the public comment section of the meeting.

**PRESENTATION**

1. York County C Fund Project: Davey Broom, Public Works Director, provided council with a list of streets that are in need of resurfacing as requested by York County Engineering. The list is in order of importance however, all are in need of resurfacing. Most complaints received are regarding the location on Spratt St. Davey clarifies that there are no specifications on length for resurfacing. Additionally, some of the streets listed were on last years list as well. Councilman Spratt asked what the chances of getting funded are. Davey explained that he will not know until York County reviews the submitted list. Mayor Funderburk asked when the list is due to York County. Davey advised that the list is due by November 7. Councilman Spratt made a motion to approve the list of streets to be submitted to York County. The motion was seconded by Councilman Helms. The motion passed by a 6-0 vote

## **PUBLIC HEARINGS ITEMS**

1. Public Hearing for an ordinance authorizing the entry by the Town of Fort Mill into a Development Agreement for property located at York County Tax Map Numbers 736-00-00-080, 736-00-00-081 and 736-00-00-144, such parcels containing approximately 28.6 acres located at the intersection of North Dobys Bridge Road and Kimbrell Road; authorizing the execution and delivery of such Development Agreement; and other matters relating thereto [First of Two Required Public Hearings]: Mayor Funderburk opened the Public Hearing portion of the meeting. There were no speakers. No comments were received.
2. Public Hearing for an ordinance annexing York County Tax Map Number 738-00-00-047, containing approximately 2.6 acres at 1918 N Dobys Bridge Road (Pettus Property): Mayor Funderburk opened the Public Hearing portion of the meeting. There were no speakers. No comments were received. Mayor Funderburk closed the Public Hearing portion of the meeting.

## **OLD BUSINESS**

1. Second Reading: An ordinance to amend the Code of Laws for the Town of Fort Mill by creating Section 24-35 entitled "Loitering": No comments were received. Councilman Helms made a motion to approve as second reading. The motion was seconded by Councilman Huntley. The motion passed by a 6-0 vote.
2. Second Reading: An ordinance annexing York County Tax Map Number 738-00-00-047, containing approximately 2.6 acres at 1918 N Dobys Bridge Road (Pettus Property): No comments were received. Councilman Spratt made a motion to approve as second reading. The motion was seconded by Councilman Helms. The motion passed by a 6-0 vote.
3. Second Reading: An ordinance authorizing a second amendment to the Development Agreement by and between SDG Properties, LLC, and the Town of Fort Mill to extend the term of the Agreement, and provide for on site and off site road improvements and utility services to benefit the property, and related commitments and contributions by the developer; and other matters relating thereto: No comments were received. Councilman Helms made a motion to accept the changes from the first reading version. The motion was seconded by Councilman Huntley. The motion passed by a 6-0 vote. Councilman Adams made a motion to approve second reading of the ordinance as amended. The motion was seconded by Councilman Helms. The motion passed by a 6-0 vote.
4. Second Reading: An ordinance authorizing a first amendment to the Development Agreement by and between Sustainable Development Group, Inc., and the Town of Fort Mill to provide for improvements and utility services to benefit the property; and

other matters relating thereto: No comments were received. Councilman Adams made a motion to accept the changes from the first reading version. The motion was seconded by Councilman Helms. The motion passed by a 6-0 vote. Councilman Adams made a motion to approve second reading of the ordinance as amended. The motion was seconded by Councilman Helms. The motion passed by a 6-0 vote.

5. Second Reading: An ordinance authorizing an agreement between the Town of Fort Mill and Crescent Communities, LLC, regarding water and sewer service: No comments were received. Councilman Adams made a motion to accept the changes from the first reading version. The motion was seconded by Councilman Helms. The motion passed by a 6-0 vote. Councilman Adams made a motion to approve second reading of the ordinance as amended. The motion was seconded by Councilman Helms. The motion passed by a 6-0 vote.
6. Second Reading: An ordinance authorizing an agreement between the Town of Fort Mill and the City of Tega Cay for the transportation and treatment of wastewater : No comments were received. Councilman Adams made a motion to accept the changes from the first reading version. The motion was seconded by Councilman Helms. The motion passed by a 6-0 vote. Councilman Adams made a motion to approve second reading of the ordinance as amended. The motion was seconded by Councilman Huntley. The motion passed by a 6-0 vote.

### **NEW BUSINESS**

1. First Reading: An ordinance authorizing the entry by the Town of Fort Mill into a Development Agreement for property located at York County Tax Map Numbers 736-00-00-080, 736-00-00-081 and 736-00-00-144, such parcels containing approximately 28.6 acres located at the intersection of North Dobys Bridge Road and Kimbrell Road; authorizing the execution and delivery of such Development Agreement; and other matters relating thereto: Councilman Adams asked Joe Cronin, Planning Director, for a synopsis of the Agreement. Joe explained that this agreement would allow up to 100 single family homes, for a total gross density of up to 3.5 dwelling units per acre. The community will be age targeted rather than age restricted. The applicant would also be responsible for installing turn lanes at both ends of Kimbrell Rd. Additionally the historic tree located on the property is protected under the Agreement. Councilman Helms made a motion to approve as first reading. The motion was seconded by Councilman Huntley. Councilman Spratt stated that he opposed the motion based on the traffic counts on Dobys Bridge Road and SC Highway 160. The motion passed by a 5-1 vote.
2. Request to authorize the awarding of a contract to Construction Resource Group in the amount of \$177,260 for the purpose of modifying the chemical feed system at the Wastewater Treatment Plant: Councilman Spratt asked for additional information regarding this contract. Paul Mitchell, Town Engineer, explained that with the construction of the new Elementary school it was found that it is important for the Wastewater Treatment Plan to be modified. Paul also stated that these modifications

were included in the FY 14/15 budget. Councilman Adams made a motion to approve the contract to Construction Resource Group. The motion was seconded by Councilman Spratt. The motion passed by a 6-0 vote.

3. Request to endorse a preliminary engineering report (PER) and authorize application to the SC Department of Health & Environmental Control for construction permitting related to the rehabilitation of the Wastewater Treatment Plant: Paul explained that due to the amount of growth in the Town, this rehabilitation will occur in two (2) phases. The project would take approximately 8-9 months to complete. Growth projections were provided to Council. Councilman Spratt made a motion to approve the application. The motion was seconded by Councilman Helms. The motion passed by a 6-0 vote.
4. Request to authorize the awarding of a contract to Wideman & Singleton in the amount of \$47,280 for the purpose of updating the town's water and sewer master plans: Paul advised that due to increased demands from Tega Cay this will allow for remodeling to be completed to the water/sewer system. The remodeling will take 150 days to complete. Councilman Adams made a motion to approve the contract. The motion was seconded by Councilman Spratt. The motion passed by a 6-0 vote.
5. A resolution authorizing an agreement for the Town of Fort Mill to sell water to the City of Tega Cay: Councilman Adams made a motion to approve the contract. The motion was seconded by Councilman Spratt. The motion passed by a 6-0 vote.
6. A resolution Approving The Execution And Delivery Of Consent To Second Amendment To Development Agreement And Agreement For Water And Sewer Services: Councilman Adams made a motion to approve the contract. The motion was seconded by Councilman Helms. The motion passed by a 6-0 vote.

### **ITEMS FOR INFORMATION / DISCUSSION**

1. Follow Up Meeting with the Fort Mill Planning Commission: Joe Cronin, Planning Director, advised that the tentative dates for this meeting are Nov. 6 & 20, pending coordination between members of both bodies. The meeting will last approximately 4 hours.
2. Impact Fee Study Update: Joe advised that a draft report will be received within the next business day. This information will be presented to council during the upcoming joint meeting with the Planning Commission.

### **EXECUTIVE SESSION**

A motion to enter into executive session was made by Councilman Spratt and seconded by Councilman Huntley. The vote in favor of the motion was unanimous. Council entered into executive session at 7:13 am.

Council returned to chambers and Mayor Funderburk called the meeting back to open session at 7:52 am. Mayor Funderburk stated that “no action was taken in executive session.”

### **GENERAL DISCUSSION**

Mayor Funderburk noted that the Art on Main event was a tremendous success and there was great participation. Mayor Funderburk extended his condolences to Councilman Helms and Councilwoman Savage.

Councilman Spratt expressed his dedication to the Town and his genuine interest in the betterment of community. Mr. Spratt stated that he did not leave or move Town but instead has temporarily changed his residence. Mr. Spratt is still a native to the Town of Fort Mill and is committed to serve, however at this time he has decided to resign from his position as Council member taking effect on October 31, 2014.

Councilman Huntley stated that the Wall of Honor was a very emotional event and was very well done.

Councilman Shirey expressed his support for the Wall of Honor and stated the event had a great turn out. Mr. Shirey also reminded everyone to be alert for children on Halloween.

Councilman Adams thanked Councilman Spratt for his service and stated that he brought a lot to the table.

Mayor Funderburk stated his well wishes to Councilman Spratt and that he understood it was a difficult decision to make.

### **ADJOURN**

Motion to adjourn was made by Councilman Spratt and seconded by Councilman Helms. The motion to adjourn was approved unanimously.

Meeting was adjourned at 8:17 am

Respectfully submitted,

Dana Powell  
Municipal Clerk